

**REMARKS**

The applicants respectfully submit that no new matter has been added. It is believed that this Response is fully responsive to the Office Action dated February 8, 2007.

The following rejections are set forth in the outstanding Office Action:

(1) claims 1 - 11 and 18 - 21 are rejected under 35 U.S.C. 102(b) as being anticipated by "the prior art (figure 2) as admitted by the Applicant[s];" and

(2) claims 12 - 17 are rejected under 35 U.S.C. 103(a) based on "the prior art (figure 2) as admitted by the Applicant[s]."

The applicants respectfully request reconsideration of these rejections.

The applicants' claimed speaker, as recited in independent claim 1, includes the claimed frame having a fitting section formed so as to include therein the center of gravity of the entire speaker and project along a plane substantially in parallel with the plane including the peripheral edges of the openings so as for the speaker to be installed onto the receiving member, whereas in independent claim 2, the claimed frame has a fitting section formed so as to include therein the center of gravity of the entire speaker and project substantially along a plane intersecting the

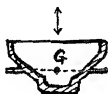
direction of vibration of the diaphragm so as for the speaker to be installed onto the receiving member.

The applicants' claimed speaker, as set forth independent claim 3, includes the claimed frame having a fitting section formed so as to project substantially along a plane intersecting the direction of vibration of the diaphragm and adapted to be fitted to the receiving member so as to place the center of gravity of the entire speaker on a plane including the receiving member. In the claimed speaker installing method, as recited in independent claim 21, the speaker is installed in position so that the plane including the peripheral edges of the openings is substantially in parallel with the plane including the receiving member and the center of gravity of the entire speaker is located on the plane including the receiving member.

The applicants traverse the Examiner's position that the "the prior art (figure 2) as admitted by the Applicant[s]" discloses the features recited in independent claims 1 - 3 and 21. As discussed above, the applicants' claimed invention, as now recited in independent claims 1 - 3 and 21, sets forth that the claimed that the claimed frame includes a fitting section projecting substantially along a plane: (A) (1) including the center of gravity of the entire speaker and (2) extending substantially in parallel with the plane including the peripheral edge of the opening (i.e., sound- output opening) (claim 1) or (B) (1) including the center of gravity of the entire speaker and (2) intersecting the direction of vibration of the diaphragm (claim 2); or fitting position corresponding to the above

(claim 3 and 21).

Because the center of gravity of the entire speaker is located on fitting-section plane, transmission of undesired vibration can be restrained.



The Present Invention

On the other hand, the fitting section 910 shown in the cited Figure 2 is clearly located on the upper side (see, the sketch below), where the center of gravity of the entire speaker cannot be located on the plane including the fitting section and parallel to the opening-plane (or intersectional to the vibrating direction).



Related Art of Fig. 2

The applicants submit that the difference of the location of the fitting section results in the prominent difference in the transmission of the vibration as exhibited in the applicants' Figure 3. Such claimed structural arrangement or feature, and the above-discussed advantage derived therefrom are neither shown, disclosed or suggested in the cited Figure 2.

In view of the above, not all of the claimed elements or features of the applicants' claimed invention, as recited in independent claims 1 - 3 and 21 (and the claims dependent therefrom), are found in exactly the same situation and united in the same way to perform the identical function in the cited Figure 2. Thus, there can be no anticipation of the applicants' claimed invention 35 U.S.C. 102(b) based on "the prior art (figure 2) as admitted by the Applicant[s]." In view of the above, the withdrawal of the outstanding rejection under 35 U.S.C. 102(b) based on "the prior art (figure 2) as admitted by the Applicant[s]" is in order, and is therefore respectfully solicited.

Moreover, claims 12 - 14 (as well as claims 15 - 17) depend on independent claims 1 - 3, respectively, and respectively limit or narrow the scope of independent claims 1 - 3. Thus, at least for the reasons discussed above with respect to claims 1 - 3, claims 12 - 17 should now be similarly allowable. In view of the above, the withdrawal of the outstanding obviousness rejection under 35 U.S.C. 103(a) based on "the prior art (figure 2) as admitted by the Applicant[s]" is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

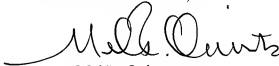
U.S. Patent Application Serial No. 10/710,916  
Response filed May 7, 2007  
Reply to OA dated February 8, 2007

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper to Deposit Account No. 01-2340.

Respectfully submitted,

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